

GOVERNMENT OF ANDHRA PRADESH
ABSRTACT

Public Service - Commercial Taxes Department – Kurnool Division- Sri L.Basheer Ahmed, Assistant Commercial Tax Officer (Retd.,) – Held responsible for accepting certain fake 'C' forms and finalizing the assessment with concessional rate of tax @ 4% - Charge framed – Explanation submitted – Enquiry conducted – Report submitted – Further action dropped –Orders issued

REVENUE (VIG.I) DEPARTMENT

G.O.Rt.No. 990

Dated : 18 .07.2009

Read the following:-

- 1) CCT.'s Ref: No. V3/177/2004 Dated: 14.3.2005.
- 2) G.O.Rt.No.303, Rev (Vig.I) Dept, dated:10.3.2006.
- 3) G.O.Rt.No.536, Rev (Vig.I) Dept, dated:10.3.2006.
- 4) G.O.Rt.No.1899, Rev (Vig.I) Dept, dated:28.8.2006.
- 5) CCT.Ref.No.V3/177/2004, Dated: 13.6.2008 together with Enquiry Officer Report.

ORDER:-

Whereas in the reference 1st read above the Commissioner of Commercial Taxes, Hyderabad while communicating the draft articles of charges against Sri L.Basheer Ahmed, Asst. Commercial Tax Officer, (Retd.,) and requested for necessary action as the Charge Officer Retired on 31.1.2003.

2) Whereas in the reference 2nd read above sanction was accorded for initiation of Departmental proceeding against Sri L.Basheer Ahmed, Asst. Commercial Tax Officer, (Retd.,) under Rule 9 of Andhra Pradesh Revised Pension Rules, 1980.

3) Whereas in the reference 3rd read above articles of charges were framed and issued against Sri L.Basheer Ahmed, Asst. Commercial Tax Officer, (Retd.,) as he had held responsible for accepting certain fake 'C' forms and finalizing the assessment with concessional rate of tax @ 4%.

4) Whereas in the reference 4TH read above, the Assistant Commissioner (Commercial Tax) (LTU) Kurnool, Division was appointed as Enquiry Authority Under Rule 20(2) of APCS (CCA), Rules 1991 to enquire into the charge framed against Sri L.Basheer Ahmad, Asst. Commercial Tax Officer, (Retd.,)

5) Whereas in the reference 5th read above, the Commissioner of Commercial Taxes, Hyderabad has furnished the Enquiry Officer report.

6) Whereas in his report the Enquiry Officer has state that the Charged Officer highlighted provisions laid down section 12 of CST ,Act and therefore not admitted guilt that he has accepted 'C' from with ulterior motive and therefore no departmental action is warranted in his case and requested to revise the assessment in case the 'C' form is found to be defective and treat the omission pointed out by the Regional Vigilance and Enforcement Officer, Kurnool on par with the A.G.Audit paras. The Enquiry Officer is therefore convinced with the arguments advanced by the charge Officer and felt that the charged officer shall be indemnified under Sec.12 of CST Act.

7) While concluding the case the Enquiry Officer found that the charge of accepting the 'C' form with malafied intention to sustain loss to the Government and failure to maintain devotion to duty is not established and therefore held that the charges framed against the Accused Officer is not proved.

8) Government after careful examination of the matter hereby drop further action against Sri L.Basheer Ahmed, Assistant Commercial Tax Officer (Retd.,) duly accepting the finding of Enquiry Officer.

9) The Commissioner of Commercial Taxes, Hyderabad shall take necessary action in the matter accordingly.

(BY ORDER AND IN THE NAME OF GOVERNOR OF ANDHRA PRADESH)

ASUTOSH MISHRA
PRINCIPAL SECRETARY TO GOVERNMENT

To

Sri L.Basheer Ahmed, Assistant Commercial Tax Officer (Retd.,)
through Commissioner of Commercial Taxes, Hyderabad.
The Commissioner of Commercial Taxes, Hyderabad.

Copy to:-

The Deputy Commissioner (Commercial Tax) , Kurnool Division, Kurnool.
The Accountant General, A.P., Hyderabad.
The Director of Treasuries and Accounts, A.P., Hyderabad.
The District Treasury Officer, Kurnool.
File/SF/SCs.

// FORWARDED:: BY ORDER //

SECTION OFFICER